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FACSIMILE TRANSMISSION

Total # of Pages 15 (including this page)

TO:	PHONE #:	FAX #:
Art Group 1651 U.S. Patent and Trademark Office		(703) 872-9306

From : Richard San Pietro
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 Sender's Direct Dial : 858.847.6717
 Date : 1/26/2004
 App. Serial Number : 10/066,285
 Client/Matter No : 074066-0115
 User ID No : 0079

OFFICIAL

Transmitted herewith for filing in the above patent application are the following:

1. Transmittal (2 pages); and
2. Amendment (12 pages).

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Atty. Dkt. No. 074066-0115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy

Title: Polyglycerol and Lactose
Compositions for the Protection of
Living Systems from States of
Reduced Metabolism

Appl. No.: 10/066,285

Filing Date: 02/01/2002

Examiner: Sandra E. Saucier

Art Unit: 1651

CERTIFICATE OF FACSIMILE TRANSMISSION
 I hereby certify that this paper is being Facsimile transmitted to the
 United States Patent and Trademark Office, Alexandria, Virginia
 on the date below.

LINNE GOUYIER
 (Printed Name)
Linne Gouyier
 (Signature)
January 26, 2004
 (Date of Deposit)

AMENDMENT TRANSMITTAL

Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- The fee required for additional claims is calculated below:

	Claims		Extra Claims Present	Rate	\$18.00	=	\$18.00
	As Amende d	Previously Paid For					
Total Claims:	38	-	37	=	1	x	\$18.00
Independents:	4	-	4	=	0	x	\$86.00
CLAIMS FEE TOTAL							= \$18.00

Atty. Dkt. No. 074066-0115

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$110.00	\$110.00
	EXTENSION FEE TOTAL:	<u>\$110.00</u>
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	<u>\$128.00</u>
[X]	Small Entity Fees Apply (subtract ½ of above):	<u>\$64.00</u>
	TOTAL FEE:	<u>\$64.00</u>

[X] Please charge Deposit Account No. 50-0872 in the amount of \$64.00. A duplicate copy of this transmittal is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date Jan. 26, 2004

Respectfully submitted,

Stephen E. Reiter
FOLEY & LARDNER
Customer Number: 30542
Telephone: (858) 847-6717
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By Richard San Pietro
Richard San Pietro
Attorney for Applicant
Registration No. 45,071

Atty. Dkt. No. 074066-0115

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JAN 26 2004

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Art Unit: 1651

Confirmation Number 3778

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<u>LINÉ GAUTHIER</u> (Printed Name)	
<u>Liné Gauthier</u> (Signature)	
January 26, 2004 (Date of Deposit)	

RESPONSE TO OFFICE ACTIONMail Stop Non-Fee Amendment
Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Introductory Comments

This communication is responsive to the Office Action mailed September 26, 2003,
concerning the above-referenced patent application.

The Listing of Claims begins on p. 2.

The Remarks begin on page 6.